

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION**

KIMBERLY-CLARK CORPORATION,

Plaintiff,

v.

McKESSON MEDICAL-SURGICAL INC.,  
VICTOR BAKKAR, CLARE MEDICAL, INC.,  
HERBERT A. TOMS III,

Defendants.

Civil Action No. 3:18-cv-00002-REP

**DEFENDANTS McKESSON MEDICAL-SURGICAL INC. AND VICTOR BAKKAR’S  
MOTIONS TO DISMISS WITH PREJUDICE COUNTS III-XI OF  
PLAINTIFF KIMBERLY-CLARK’S COMPLAINT AND  
TO STRIKE ITS REQUEST FOR PUNITIVE DAMAGES**

Defendants McKesson Medical-Surgical Inc. and Victor Bakkar (“McKesson Defendants”) hereby move this Court to dismiss Counts III-XI of Plaintiff’s Complaint with prejudice under Federal Rule of Civil Procedure 12(b)(6) for failure to state a claim upon which relief can be granted.

The McKesson Defendants further move the Court for an order striking Plaintiff’s request for punitive damages.

The grounds for these Motions are set forth in the accompanying memorandum in support.

Dated: March 26, 2018

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Respectfully submitted,

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